



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

NOV 16 2000

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Kathy J. Weinman
2 Saddle Creek Court
Chesterfield, MO 63005

RE: MUR 5150

Dear Ms. Weinman:

On November 7, 2000, the Federal Election Commission found reason to believe that you violated 2 U.S.C. § 441a(a)(1)(C) of the Federal Election Campaign Act of 1971, as amended (the "Act"). The Factual and Legal Analysis, which formed a basis for the Commission's findings, is attached for your information.

You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Please submit such materials to the General Counsel's office within 15 days of receipt of this letter. Where appropriate, statements should be submitted under oath. In the absence of additional information, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

In order to expedite the resolution of this matter, the Commission has also decided to offer to enter into negotiations directed towards reaching a conciliation agreement in settlement of this matter prior to a finding of probable cause to believe. Enclosed is a conciliation agreement that the Commission has approved.

If you are interested in expediting the resolution of this matter by pursuing pre-probable cause conciliation, and if you agree with the provisions of the enclosed agreement, please sign and return the agreement, along with the civil penalty, to the Commission. In light of the fact that conciliation negotiations, prior to a finding of probable cause to believe, are limited to a maximum of 30 days, you should respond to this notification as soon as possible.

Requests for extensions of time will not be routinely granted. Requests must be made in writing at least five days prior to the due date of the response and specific and

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good cause must be demonstrated. In addition, the Office of General Counsel ordinarily will not give extensions beyond 20 days.

If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address, and telephone number of such counsel, and authorizing such counsel to receive any notifications and other communications from the Commission.

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions please contact Jamila Wyatt, the attorney assigned to this matter, at (202) 694-1650.

Sincerely,



Darryl R. Wold
Chairman

Enclosures

Factual and Legal Analysis
Procedures
Designation of Counsel Form
Conciliation Agreement

21 "04" 403 "2739

**FEDERAL ELECTION COMMISSION
FACTUAL AND LEGAL ANALYSIS**

RESPONDENT: Kathy Weinman

I. GENERATION OF MATTER

This matter was generated by an audit of Missouri Democratic State Committee (the "Committee") and Donna Knight, as treasurer, undertaken in accordance with 2 U.S.C. § 438(b).

II. FACTUAL AND LEGAL ANALYSIS

No person shall make contributions to any other political committee in any calendar year which, in the aggregate, exceed \$5,000. 2 U.S.C. § 441a(a)(1)(C). The Commission found that Kathy Weinman made a contribution of \$25,000 to the Committee, which exceeds the limitation by \$20,000. Therefore the Commission found reason to believe that Kathy Weinman violated 2 U.S.C. § 441a(a)(1)(C).¹

¹ The Committee made an untimely refund of \$20,000 to Ms. Weinman representing the excessive portion of her contribution.

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